

**Senate Bill No. 826**

\_\_\_\_\_

Passed the Senate September 12, 2007

\_\_\_\_\_

*Secretary of the Senate*

\_\_\_\_\_

Passed the Assembly September 12, 2007

\_\_\_\_\_

*Chief Clerk of the Assembly*

\_\_\_\_\_

This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_

*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Sections 13040, 13041, and 13042 of the Education Code, and to amend Section 1 of Chapter 870 of the Statutes of 2001, relating to Native American education.

## LEGISLATIVE COUNSEL'S DIGEST

SB 826, Padilla. Native American education.

Existing law, the California Native American Public Education Grant Program, requires the State Librarian to allocate grants to develop California Native American instructional resources for public schools, and requires that the instructional resources be submitted to the Curriculum Development and Supplemental Materials Commission and to the State Board of Education for public hearings and approvals, as prescribed.

Existing law provides for the establishment and maintenance of 6 subject matter projects by the Regents of the University of California with the approval of the Concurrence Committee. Existing law provides that these subject matter projects are to create opportunities for researchers, higher education faculty, and elementary and secondary school faculty to work together to identify exemplary teaching practices, examine and develop research on learning, knowledge, and educational materials, and to provide support to teachers to develop and enhance content knowledge and pedagogical skills. Under existing law, these projects become inoperative on June 30, 2007, and are repealed on January 1, 2008.

This bill would request the Regents of the University of California, acting through the subject matter projects, to carry out these responsibilities with respect to Native American education that are assigned to the State Librarian under existing law.

The bill would become operative only if SB 232 is chaptered and becomes operative on or before January 1, 2008.

*The people of the State of California do enact as follows:*

SECTION 1. Section 13040 of the Education Code is amended to read:

13040. (a) The Regents of the University of California, acting through the subject matter projects established under Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3, are requested to expend the funds allocated for the purposes of this part to develop, in consultation with the State Department of Education and the Curriculum Development and Supplemental Materials Commission related to history-social science curriculum framework and content standards, California Native American instructional resources for use in the public schools maintaining any combination of instructional settings from kindergarten to grade 12, inclusive.

(b) The Regents of the University of California, acting through the subject matter projects established under Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3, may award grants on a competitive basis or shall contract with instructional resource developers to prepare the instructional resources consistent with the state curriculum framework and content standards where the teaching of Native American history is identified, and shall consult with a broadly based group of experts to advise upon and review the instructional resources. The instructional resources shall be subject to Section 13041 and all other relevant statutes governing the content of educational materials prior to distribution to the public schools.

(c) In carrying out subdivision (b), the Regents of the University of California, acting through the subject matter projects established under Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3, are encouraged to do or enable each of the following, to the extent possible:

- (1) Involve California Native Americans in the development of the instructional resources.
- (2) Consult with local and regional consortia of organizations and individuals engaged in similar educational, research, and development efforts.
- (3) Coordinate and collaborate with organizations and individuals engaging in similar educational, research, and development endeavors.
- (4) Utilize creative and innovative methods and approaches in research for, and development of, the instructional resources.
- (5) Seek matching funds, in-kind contributions, or other sources of support to supplement the funds provided in support of this part.

(6) Propose the use of a variety of media, including new technology and the arts, to creatively and strategically appeal to pupils while enhancing and enriching community-based educational efforts.

(7) Include scholarly inquiry related to the variety of experiences of California Native Americans.

(8) Add relevant materials to, or catalogue relevant materials in, libraries and other repositories for the creation, publication, and distribution of bibliographies, curriculum guides, oral histories, and other resource directories and supporting the continued development of scholarly work on this subject by making a broad range of archival, library, and research materials more accessible to the American public.

SEC. 2. Section 13041 of the Education Code is amended to read:

13041. (a) The Regents of the University of California, acting through the subject matter projects established under Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3, are requested to submit to the Curriculum Development and Supplemental Materials Commission the instructional resources developed pursuant to Section 13040 on or before September 30, 2009.

(b) The Curriculum Development and Supplemental Materials Commission shall hold a public hearing regarding the instructional resources and shall recommend them, along with any modifications that the commission determines to be appropriate, to the State Board of Education.

(c) (1) The State Board of Education shall hold a public hearing regarding the recommendation of the Curriculum Development and Supplemental Materials Commission pursuant to subdivision (b) and shall approve the instructional resources along with any modifications that the State Board of Education determines to be appropriate on or before May 31, 2010.

(2) The State Board of Education shall review the instructional resources approved pursuant to subdivision (c) in relation to the history-social science content standards adopted pursuant to Section 60605 and shall, at any subsequent revision, make adjustments, if any, to the content standards that it determines to be appropriate. The State Board of Education shall also ensure that the approved instructional resources are used as an advisory tool in developing

the next revision of the history-social science curriculum framework and standards.

(d) Upon approval by the State Board of Education pursuant to subdivision (c), the instructional resources shall be made available to educators as efficiently and effectively as available funding will allow.

SEC. 3. Section 13042 of the Education Code is amended to read:

13042. On or before January 1, 2009, the Regents of the University of California, acting through the subject matter projects established under Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3, are requested to report to the Governor and the appropriate fiscal and policy committees of each house of the Legislature on the use of funds provided for the purposes of this part.

SEC. 4. Section 1 of Chapter 870 of the Statutes of 2001 is amended to read:

Sec. 1. The Legislature hereby finds and declares all of the following:

(a) California's American Indians are the first peoples to have settled California, perhaps some 15,000 years before European colonization.

(b) California was a hospitable environment, and was home to approximately one-third of all American Indians prior to colonization. These peoples had developed widespread and unique cultures, including as many as 100 distinct languages.

(c) Colonization occurred by four distinct groups, Spanish, Russian, Mexican, and American. Each had its own distinct, yet significant, impact upon American Indians within California.

(d) The first people of California have a unique set of cultures that greatly enrich California and these have survived despite the many threats to them. There are 107 recognized Indian tribal governments in the State of California, the most of any state in the nation. California residents and pupils need to know more about the contemporary status of, and the social, governmental, and economic issues affecting California Native Americans.

(e) California Native American tribes differ from the Midwestern and Eastern Native American tribes in their original culture and language, their social evolution, and their current cultural practices. With a stronger educational foundation, Californians of the future

will be better informed about the unique identities and cultural contributions of these tribes.

(f) Currently, the instructional resources available for use in the California public schools do not include accurate contemporary information concerning Native Americans in this state. Therefore, little can be taught that draws together the historic circumstances of California Native Americans with their lives and futures in today's California. Unfortunately, as a result, myths and faulty stereotypes may be perpetuated.

(g) Tribal sovereignty, the constitutional and legal right of tribes to govern themselves and tribal lands in accordance with federal law and under a unique nation-to-nation status, is rarely understood. However, these matters are important, as tribes have governmental powers, responsibilities, and authority in relationship to the state and local governments.

(h) Instructional materials that incorporate California Native American history, culture, sovereignty, and contemporary issues of modern Native Americans, and their relationship and place in California's diverse governmental, racial, and cultural communities will provide California's children a more complete education and academic preparation to interact in today's world.

(i) It is in the best interest of all the people, and of the future of this state, to ensure that each school district, charter school, county office of education, and California Native American education center have the opportunity to seek, learn, review, develop, and share culturally accurate instructional materials.

(j) The highest quality instructional materials that include a discussion of the role of California Native Americans, in the history, culture, governance, and socioeconomic dynamics of the state should be available to all Californians.

(k) The California History-Social Science Project of the California Subject Matter Projects provides the best venue to bring together scholars and teachers of a variety of perspectives to write curricula for classroom use.

SEC. 5. This act shall become operative only if Senate Bill 232 is chaptered and becomes operative on or before January 1, 2008.



Approved \_\_\_\_\_, 2007

---

*Governor*